

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-6052**

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RUSSELL L. PREVATTE,

Petitioner - Appellant,

v.

W. ELAINE CHAPMAN, Deputy Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, Senior District Judge. (5:07-hc-02040-H)

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Submitted: May 5, 2008

Decided: June 25, 2008

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Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Russell L. Prevatte, Appellant Pro Se. Steve R. Matheny, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Russell L. Prevatte, a federal prisoner, appeals the district court's orders denying relief on his 28 U.S.C. § 2241 (2000) petition and his motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Prevatte v. Chapman, No. 5:07-hc-02040-H (E.D.N.C. Aug. 14, 2007; Nov. 19, 2007). We deny Prevatte's motion to substitute party. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED